IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Civil Revision No. 5280 of 2006

Date of Decision: 10.10.2006

Jaswinder Singh ...Petitioner

Vs.

Ram Parkash & Anr. ...Respondents

CORAM Hon'ble Mr.Justice Vinod K.Sharma

Present: Mr.Arun Bansal, Advocate,
for the petitioner.
Mr.Parveen Kumar Advocate,
for the respondents.

Vinod K.Sharma, J. (Oral)

Present revision petition has been filed against the orders of ejectment passed against the petitioner on the ground of personal necessity and subletting.

Learned counsel for the petitioner contends that the petitioner had placed on record partnership deed showing that respondents No.1 and 2 were running business in partnership and therefore, it could not be said that he had sublet the said premises. The partnership deed has been wrongly ignored. In view of this the findings

recorded by the learned courts below regarding subletting cannot be sustained. Therefore, findings on this issue are reversed.

However, the ejectment of the petitioner has also been ordered on the ground of personal necessity.

Learned courts below on appreciation of evidence have come to the conclusion that the respondent-landlord who was employed in Electricity Department has since retired and he wants to run his own business in the premises. The statement of the petitioner has been accepted which was supported by other evidence.

Learned counsel for the petitioners contends that the landlord has another shops. However, they have failed to give particulars of those shops.

No ground is made out to interfere in the concurrent findings of the courts below which may call for interference by this Court in revisional jurisdiction qua finding recorded qua personal necessity.

Dismissed.

(Vinod K.Sharma)
Judge

10.10.2006
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